

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DR. CAROL NIZNIK,

Plaintiff

DECISION AND ORDER

-vs-

STORE TO DOOR, et al.,

Defendants

04-CV-6577 CJS(F)

This is an action in which the plaintiff is seeking to prevent the defendant, a moving and storage company, from auctioning off certain property belonging to her in order to satisfy a lien for unpaid rental fees. Plaintiff, a research scientist, is proceeding under the "Patriots Act (Public Law 107-56- Oct. 26, 2001)" because she contends that the personal property at issue includes research materials that concern national security.

Now before the Court is an application by plaintiff, entitled, "Emergency Notice of Motion for Order for Federal Marshal to Accompany Plaintiff with Search Warrant to Store-To-Door, 50 Ajax Road, Rochester, N.Y. to Replace NW Systems DOD and Homeland Defense and Security Documents and Software Discs in Plaintiff's Store-To-Door Storage Containers Pending Appeal" [#15]. As the title suggests, plaintiff asks the Court to issue a search warrant and to direct the United States Marshal to accompany her to inspect her storage containers, which are in the possession of defendant Store-To-Door. The application is denied. Plaintiff cites no legal authority for the Court to grant the relief she seeks, nor is the Court aware of any.

Accordingly, it is hereby ORDERED that plaintiff's application [#15] is DENIED.

So Ordered.

Dated: Rochester, New York
May 16, 2005

ENTER:

/s/ Charles J. Siragusa
CHARLES J. SIRAGUSA
United States District Judge